

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 15-20 are in the present application. It is submitted that the claims, as originally presented, were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The new claims as presented herein, are not submitted for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these claims are submitted simply for clarification and to round out the scope of protection to which Applicants are entitled. Claims 1, 4, 7, 9, 10, and 14 are canceled.

Claims 1, 4, 7, 9, 10, and 14 were rejected under 35 U.S.C. § 102(e) as being anticipated by Herz et al. (U.S. Patent 5,758,257). However, in the present invention, "said genre taste value [is] calculated using a life-scene/time function representing a relationship between the life-scene corresponding to the request time and a time-variable coefficient." (Claims 15 and 17) In other words, the present invention uses a life-scene/time function in calculating the genre taste value (audience rating) corresponding to the life scene at the time the user actually requests the EPG. (Specification page 27, lines 1-10) Although Herz does disclose a time window expressed by starting and end points, this time window corresponds to various moods (e.g. generic, peaceful, violent, and speculative) rather than being a function of a life-scene as required in the present invention. Applicants believe Herz' time window may be compared to the present invention's

Figure 25A, but is not an equivalent to Figure 25B which shows the life-scene/time function recited in the claims. Accordingly, Herz fails to meet the life-scene/time function limitation required by the present invention. Further the new claims recite “forming a general user model based on statistical data obtained by audience research on the actions of a plurality of users; ... said statistical data including an audience rating for each of a plurality of genres, a plurality of life-scenes, and wherein each user is classified according to various characteristics including at least an age, a sex, and life-scene.” (Claims 15 and 17) This limitation clarifies the contents of the statistical data, such that Applicants believe Herz fails to meet this further defined statistical data limitation. Therefore, for at least these reasons, Herz fails to anticipate the present invention and new claims 15-20 should be allowed.

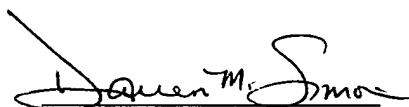
In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

An extension of time fee is deemed to be required for the filing of this amendment. No additional fees are anticipated, but if such are required, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

A handwritten signature in black ink, appearing to read "Darren M. Simon", written over a horizontal line.

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